

CIVILIAN COMMANDERS AND THE MID-SIZE AGENCY

JOURNAL ARTICLE

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**COMMAND COLLEGE CLASS XXI
PEACE OFFICER STANDARDS AND TRAINING
SACRAMENTO, CALIFORNIA**

JANUARY 1996

21-0432

This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future -- creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

Introduction

The decade of the 1990's has presented law enforcement with unique challenges. Financial constrictions and greater demands from the community such as, Community Oriented Policing, Problem Oriented Policing and drug resistance and educational programs, have forced law enforcement to reevaluate its service delivery philosophies. Herman Goldstein writes in an article for The National Institute of Justice Research In Brief,

“Law enforcement is now in a period in which more attention is being given to the police function than at any prior time, a period in which we are rethinking, in all of its multiple dimensions, the arrangement for the policing of our society.”¹

Civilianization is one concept that has enabled law enforcement managers to meet the demands of the community in these periods of financial restrictions. James Gardiner writes in his 1987 California Commission on Police Officer Standards and Training (POST) Command College Project, "Civilianization has become one of the primary strategies used by law enforcement executives and city governments to continue to provide or increase law enforcement services in times of reduced financial resources.”²

The President's Commission on Law Enforcement and Administration of Justice noted in the 1967 Task Force Report: The Police that there were many tasks performed by sworn officers which did not require police skills and that those tasks should be assumed by civilian personnel. The report identified those tasks as clerical,

mechanical, or requiring specialized knowledge or skills.³ The report generally focused on shifting the performance of these line functions from sworn personnel to civilians, without specific attention to the management functions.

Utilizing civilians in command positions is an emerging trend in law enforcement. This issue was the focus of an in-depth, future oriented, independent research project, conducted by this author, for the California Commission on POST's Command College. The research included an extensive literature search with the libraries of California POST, the Federal Bureau of Investigation, the Police Executive Research Forum and other literary sources. Much has been written about the civilianization of law enforcement at the line and first line supervisor levels, but little attention has been devoted to the civilianization of the command level management functions. Additional data was derived through interviews with law enforcement executives, both sworn and civilian commanders, and noted authors and experts in the law enforcement field.

For the purpose of the research project and this article, a command level position was defined by this author as a management position responsible for policy formulation and/or the direction of a functional segment of the organization.

Trends in law enforcement tend to develop in larger law agencies. As a result of their size, larger agencies have a greater capacity to specialize their personnel into specific functional areas. Special Weapons and Tactics (SWAT) teams as well as

Drug Awareness and Resistance Education (DARE) programs were first developed in larger agencies. The trend of using civilians in command positions also began in larger agencies.

Law enforcement executives in larger agencies have expanded the concept of civilianization to command level management positions. The Los Angeles Police Department has a civilian at the rank of Deputy Chief. The Pasadena Police Department has a civilian with the rank of Commander, and the San Diego Police Department has civilians in management positions with ranks equal to Commanders.

Civilian command level managers in these larger agencies have replaced sworn managers in functional areas where the civilian manager was better prepared. Fiscal matters and technological expertise such as computer applications, are functions a sworn manager's police and supervisory training does prepare them to perform. In an article for The California Peace Officer, Mel Nelson, Armand Mulder and Otto Giuliani of the Livermore Police Department write, "Business, technical and management training are not as readily available for sworn personnel as they are for the non sworn manager through academic and career development."⁴

Mid-size agencies are succumbing to tighter financial resources and the demand from their communities to provide the same levels of service as are provided in larger agencies. According to the 1990 International Association of Chiefs of Police's (IACP), Managing the Small Law Enforcement Agency,

"Regardless of the size of the agency, there is a common thread of responsibility - administrators must provide the most efficient, cost-effective, fair, and objective service possible to the people of their respective jurisdictions."⁵

To meet the challenges, mid-size and smaller law enforcement agencies must explore alternative means of service delivery. One such alternative is the utilization of civilians in command positions.

In Managing the Small Law Enforcement Agency, the IACP defines a small agency as 15-30 personnel. It also states that 79% of the agencies falling in this range have fewer than 25 personnel.⁶ For the purpose of this article, a mid-size agency is defined as an agency with 25 or more personnel, but fewer than 125. According to The California Commission on POST, mid-size agencies as defined, represent 57% of all police and public safety agencies in California.⁷

In California, a survey conducted by this author, of twenty-five (25) mid-size law enforcement agencies revealed an emerging trend in the area of civilian commanders. The survey suggested agencies are beginning to employ civilians in command level positions as a means of achieving their missions. The survey revealed only three (3) agencies employed civilians in command level positions in 1985. Six (6) agencies reported the utilization of civilian commanders in 1990 and nine (9) reported the employment of civilian commanders in 1995. Four (4) other agencies indicated that they expected to incorporate civilians into their command structure in the next five (5) years. Three (3) agencies reported they have explored the strategy

of employing civilians in command positions but found that the concept did not work in their agency. Although some mid-size agencies have not found the concept of civilian commanders suitable for their organization, this author conducted a futures forecast of the trend, which indicated that the trend would continue to expand in mid-size agencies through the year 2005.

The Issue

How will the civilianization of command positions affect the mid-size law enforcement agency? This question was the focus of a California Commission on POST Command College research study conducted by this author. The study identified the following as major subissues related to the issue question.

- ◆ What roles will the civilian commanders perform?
- ◆ How will civilian commanders affect the traditional law enforcement organizational structure?
- ◆ How will civilian commanders affect career development programs in an organization?

The exploration of these subissues will aid law enforcement executives with the evaluation of this concept. Should a law enforcement executive choose to incorporate civilians into the command ranks, the exploration of these subissues will provide a framework to enhance the opportunities while minimizing the negative impacts and obstacles.

Roles of Civilian Commanders

Civilians have long been performing functions within traditional law enforcement agencies which did not require police powers, skills, or training. These roles are routine line functions such as, dispatch, records, parking enforcement, and clerical duties.

Supervisory roles for civilians have generally been limited to the first line supervisor or middle management levels and have not encompassed the supervision of sworn personnel. Performance of the management functions have been limited to sworn personnel. Law enforcement executives are recognizing that many of the management roles do not require the police powers, training, or skills of sworn personnel. In his book Police Management for the 1990s A Practitioner's Roadmap, John Bizzack writes:

“Planners are expected to separate the long held contention that police management is different than the management of other types of organizations. The fundamentals are the same; only the product is vastly different.”⁸

Financial management, budgeting, human resources (personnel), community relations, systems management, and training, are areas of responsibility which do not require the powers, skills or training of a sworn manager. Many sworn commanders have not been trained to perform or manage these functions. The training they receive as a police officer and supervisor is geared toward operational activities and not these other functional areas. These commanders are promoted to their position

and find themselves generally possessing neither the expertise nor the training to perform these functions. In their article for The California Peace Officer, Nelson, Mulder and Giuliani write,

"Few captains are professionally prepared to assume the position of an administrative support services commander. More important, many captains resented the career development rotation from police operations to support services."⁹

These sworn commanders must acquire the training to perform in these functional areas either through the management courses available through the California Commission on POST, continuing education programs or on the job training. A civilian, already trained, could eliminate the dwell time necessary to train a sworn commander.

At the command level, although some technical knowledge is essential, management training and expertise are the vital skills imperative to the commander's performance. In their book, Contemporary Business, Louis Boone and David Kurtz define management as,

"Management is the achievement of organizational objectives through people and other resources. The manager's job is to combine human and technical resources in the best way possible to achieve these objectives. Managers are not directly involved in production. That is, they do not produce a finished product. Instead, they direct the efforts of others toward the company's goals."¹⁰

If one was to concede that at the command level, management training and expertise were the vital requirements for the position, then it can be argued that a

civilian commander could manage any of the operational divisions of an organization, including field operations. It would also follow that the chief's position could be filled by a civilian.

Affect on the Organizational Structure

The organizational structure of the traditional law enforcement agency is fashioned after the military model. Traditional law enforcement organizations have a paramilitary type structure with a hierarchy of authority and a clear chain of command.

The traditional law enforcement organizational structure and the police culture have generally enmeshed civilian employees into a second class status. The traditional organization's hierarchy have positioned civilians and civilian supervisors subordinate to sworn personnel. The functions the civilians performed within those hierarchies were viewed as routine and menial requiring little or no expertise or training.

The introduction of civilian commanders will force the organization to rethink the traditional hierarchy of authority models. An organization choosing to employ civilian commanders must address the following authority issues,

Will a civilian commander, in the absence of the field commander, have the responsibility and authority to direct tactical field operations in an emergency situation ? or

Will they become subordinate to the ranking sworn officer in the field?

The traditional structure, with a defined hierarchy of authority based on status, must be redesigned to emphasize the functional responsibilities of the employee. Police officers will no longer be superior to a civilian employee simply because of their sworn status. An employee, either sworn or civilian, will recognize the responsibilities of their co-worker's assignment and recognize their areas of authority. Sworn supervisors and commanders will similarly recognize the functional responsibilities and authority of their civilian counterparts.

Sworn personnel may be resistant to the redesign of an organizational structure which elevates the status of a civilian employee to that of an equal. Sworn personnel may also view the redesign as a degradation of their power, authority and a devaluation of their importance to the organization.

To combat this resistance, the redesign of the structure must be accompanied with an educational process. For example, sworn officers have the perception that civilians do not have the background, training, or expertise to direct tactical situations. As Stan Shernock writes in an article for the Journal of Police Science and Administration

“From the perspective of many police officers, civilians do not have the police background to know some of the answers to complaints’ questions, nor the street experience to direct patrol officers in an emergency.”¹¹

The educational process must emphasize that the management of a tactical situation is separate from the hands-on application of the technical aspects. In a tactical

situation, sworn officers, commanders, and civilian commanders must realize that a commander's role, lies with the management of the resources needed to handle the situation and not the tactical application of those resources. Understanding the commander's role will help to eliminate the perception that the civilian commander does not have the ability to manage a tactical incident.

The educational process must also address the functional aspects of the new hierarchy of authority. The process must emphasize that the new design does not devalue a sworn's position or elevate the civilian's position. It merely recognizes that each employee's functions are important to the organization's mission.

The educational process is essential to the redesign of an organizational structure which incorporates civilian managers. The structure must be designed to emphasize a hierarchy of functional responsibilities based on an employee's rank and not status.

Affect on Career Development Programs

Promotional opportunities for civilians in the traditional mid-size organization are generally limited to first line supervisory and middle management positions.

These civilian supervisory positions were responsible only for the performance of civilian personnel and generally did not include the supervision of sworn personnel.

Richard Bocklet writes in an article for Law Enforcement Technology, "The traditional police department separates civilian and sworn staff positions, forbidding

inter-staff promotions.”¹² This created a “glass ceiling” for civilian personnel above the levels of first line supervisor and middle manager. Sworn commanders were responsible for the organizational segments in which these civilian duties were performed.

Traditionally, entry level civilian positions required minimal qualifications of education and work experience. These positions have been occupied by individuals who were looking for a good paying, secure position, to supplement the family income, or they attracted individuals who viewed the civilian position as a stepping stone to becoming a police officer. These civilian positions did not attract college graduates, or those who looked at the job as a career profession.

Command level civilian positions will offer additional career paths for civilians in law enforcement. These career opportunities will enhance an agency’s recruitment and retention efforts by attracting a more career minded, professional candidate.

Sworn personnel will be affected as agencies introduce and expand the functions performed by civilians. As civilians expand into command positions, fewer career opportunities will be available for the sworn personnel. Positions once exclusively available only to sworn personnel will now be open to civilians.

With the introduction of civilian commanders, the roles of the sworn commanders will be reduced. Sworn commanders will find their roles changed and possibly limited to mostly the tactical and operational functions of the organization.

There will be fewer opportunities to expand into other areas. As the organization looks to incorporate civilian commanders, they will compete with the sworn commanders for promotional opportunities. This may be perceived by sworn personnel as a threat to their career growth and opportunities. As law enforcement executives consider the introduction of civilian commanders, they must be mindful of this perceived threat and evaluate the organization's ability to overcome the obstacles..

Implementation

A strategic plan will assess the organization's readiness for change, identify the key stakeholders and their willingness to change, and identify the potential obstacles and negative impacts to implementation. Exploration of the major subissues on the affect by civilian commanders on mid-size law enforcement agencies can provide a chief executive with the information necessary to make and informed decision on the concept and a foundation on which a strategic plan for implementation can be developed. Proper planning is the key to successful implementation. Nelson, Mulder and Guiliani write in their article for the California Peace officer,

"The odds are that this concept (civilian commanders) will prove effective for most California law enforcement agencies, given careful planning and strong support."¹³

Change, if not properly introduced, creates fear and anxiety by those impacted by the change. Fear and anxiety can result in resistance to change.

Traditional law enforcement organizations and the police culture are characterized as resistant to change. Scott Cunningham writes in an article for The Police Chief,

“Paramilitary by historical design and bureaucratic partially due to its governmental aspects, law enforcement is often reluctant to accept innovation and change.”¹⁴

Resistance can prove to be a significant obstacle to the implementation of new concepts. An implementation plan must identify the source of the resistance and the basis for the resistance. The plan would explore alternate strategies to minimize or eliminate the resistance.

Sworn personnel and commanders are potential sources of resistance to the implementation of the civilian commander concept. Their perception that civilians are not qualified to direct tactical operations, the perception that their worth to the organization is being devalued, and the reduction of career opportunities, are areas which must be examined. Alternative strategies must be explored to determine which strategy best achieves the organization’s objectives of minimizing or eliminating the sworn’s resistance and ultimately gaining acceptance to the integration of civilian commanders.

Knowledge is a key to combating the fear and anxiety created by change. The more individuals know about change, the better they will understand the benefits of, and less likely to block, the proposed change. One strategy which would attack this

resistance, is the educational process which would accompany the redesign of the organizational structure. The process could be designed to impart as much information to the organization about the concept as possible. The process could also be designed to address the concerns of sworn personnel to reduce mis-perceptions and gain acceptance to the concept.

A second strategy would be to include the sworn personnel in the design stages of the civilian commander's position. During the design stage, the sworn personnel can participate in defining the position, establishing the roles, defining the qualifications, developing the selection process, and designing the new organizational structure. By incorporating the sworn in the development stages, knowledge is imparted and the pride of participation would encourage acceptance.

Planning is the key to successful integration of civilian commanders into the organizational structure. A well conceived plan, directed at minimizing or reducing the obstacles and maximizing the benefits, will ensure successful implementation.

Additional Affects

The agency employing civilians in command positions will benefit from a reduction of personnel costs. A civilian employee's retirement and worker's compensation costs are less than those for a sworn employee, thus creating the cost savings.

Historically, civilians have received a smaller salary than sworn employees.

This trend has followed into the civilianization of the command ranks. Civilian commanders in the City of Emeryville, Livermore, Pasadena, and Los Angeles receive smaller salaries than their sworn counterparts. Although this trend is progressing, it may be short lived. A well-grounded principle in sexual discrimination cases is “equal pay for equal work.” If command personnel, both sworn and civilian, are being paid for their management expertise then this principle would apply and there should be no distinction as to their compensation.

The agencies will also benefit by enhancing an organization’s effectiveness. Hiring qualified civilian commanders with management expertise will free sworn commanders from administrative and support functions and allow them to apply their training and skills to their areas of expertise. Stan Shernock argues in his article for the Journal of Police Science and Administration,

“When civilianization has been studied or commented upon, attention has largely focused on the benefits of freeing officers from routine tasks, namely, the benefits of reducing costs and promoting professionalism by using sworn officers more effectively.”¹⁵

This argument can also hold true for the civilianization of command functions. By freeing the sworn commanders to concentrate their training and skills in their areas of expertise and training, namely operational areas, the efficiency of the organization may be enhanced.

Civilian commanders will bring a new perspective to the management of an organization. Civilians with backgrounds and experiences outside the police culture

will bring alternative ideas and innovations not steeped in police tradition to the organization. Law enforcement is in a period in which agencies are empowering their employees to be creative in their problem solving. This new perspective could inspire and enhance the creativity of the entire organization, making the organization more efficient and effective.

The level of impact on Community Oriented Policing was a trend identified in the research study as having a significant impact on the concept of civilian commanders. An interview with a panel of law enforcement professionals convened for this research concluded that civilian commanders can help bridge the gap between law enforcement and the community it serves, especially in controversial incidents. The panel concluded that civilian commanders would be more effective, than their sworn counterparts, in gaining the trust of the community. The panel characterized the police culture as being very callous and hardened as a result of the job. The community often perceives law enforcement to be insensitive to their needs. Civilian commanders, lacking this cultural characteristic, would be more open and receptive to the community and their complaints. The community would not readily identify civilian commanders as being part of the closed police culture and therefore would be more inclined to trust them.

Increased trust and a greater receptiveness to the needs of the community would lead to the opening of communication lines. Better communication and

enhanced trust would ensure a better partnership between law enforcement and their community.

Conclusion

The trend of utilizing civilians in command positions will continue into the future. The civilianization of law enforcement has been an effective strategy which has allowed police administrators to meet the greater demands of their communities during periods of dwindling resources. It appears the trends of greater demands from the community and a continued decline of available funding will continue into the future and law enforcement will continue to be required to “do more with less.” New strategies must be explored to meet this challenge. The utilization of civilians in command positions is an alternate strategy which will allow an agency to accomplish its mission, while at the same time enhancing its effectiveness.

Mid-size agencies have fewer resources to draw upon. Unlike larger agencies where personnel are specialists, mid-size agencies’ personnel tend to be generalists. Civilian commanders can help mid-size agencies to effectively utilize their resources. Tasks will be managed by trained civilian commanders, which will free sworn commanders to concentrate on specific operational issues they are trained to handle.

Endnotes

1. Goldstein, Herman, "The New Policing: Confronting Complexity", National Institute of Justice Research in Brief, December 1993 pg.1
2. Gardiner, James M., "The Impact of Civilianization On Law Enforcement Training", Commission on Peace Officer Standards and Training, Command College Project, January 1987, pg. vi
3. The President's Commission on Law Enforcement and the Administration of Justice, Task Force Report: The Police, Washington, D.C., United States Government Printing Office, 1967, pg.124
4. Nelson, Mel, and Armand E.R. Mulder, and Otto Giuliani, "The Rise of the Civilian Commander", The California Peace Officer, 7(2), June 1987 pg.21
5. International Association of Chiefs of Police (IACP), Managing the Small Law Enforcement Agency, IACP, Arlington, Virginia, 1990, pg.1
6. IACP, Managing the Small Law Enforcement Agency, IACP, Arlington, Virginia, 1990, pg 1.
7. The Commission on Police Officer Standards and Training (POST), Employment Data For California Law Enforcement, Sacramento California, POST, 1993
8. Bizzack, John, Police Management for the 1990s A Practitioner's Roadmap, Charles C. Thomas, Springfield Ill. 1989, pg. 86
9. Nelson, Mel, and Armand E.R. Mulder, and Otto Giuliani, "The Rise of the Civilian Commander", The California peace Officer, 7(2), June 1987 pg.21
10. Boone, Louis E., and Kurtz, David L., Contemporary Business Seventh Edition, The Dryden Press, Orlando, Florida, 1993, pg. 214
11. Shernock, Stan K., "The Differential Significance of Sworn Status... In the Civilianization of the Police Communications", Journal of Police Science and Administration, 16(4), December 1988, pg. 291
12. Bocklet, Richard, "Overriding Rank," Law Enforcement Technology, Mar/Apr. 1988, pg.34

13.Nelson, Mel, and Armand E.R. Mulder, and Otto Giuliani, "The Rise of the Civilian Commander", The California peace Officer, 7(2), June 1987 pg.22

14.Cunningham, Scott A., "The Empowering Leader and Organizational Change," The Police Chief, August 1994, pg. 72

15.Shernock, Stan K., "The Differential Significance of Sworn Status... In the Civilianization of the Police Communications", Journal of Police Science and Administration, 16(4), December 1988, pg. 288